

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Michael Zachmann, individually and on
behalf of all others similarly situated,

Case No. 7:22-cv-10701-NSR

Plaintiff,

vs.

Lonkero, LLC d/b/a THE LONG DRINK
COMPANY, an Indiana Corporation,

JOINT STATUS REPORT

Assigned for all purposes to:
Hon. Magistrate Judge Victoria Reznik

Defendant.

Plaintiff Michael Zachmann (“Plaintiff”) and Defendant Lonkero, LLC (“Defendant” and, together with Plaintiff, the “Parties”) submit this joint status report, reflecting the status and progress of this case.

Progress of Discovery in Prior Month:

On March 22, 2023, Plaintiff served Defendant with Plaintiff’s first set of Requests for Admission and first set of Requests for Production. On April 21, 2023, Defendant served responses and objections to Plaintiff’s initial discovery requests. On April 25, 2023, and on additional dates thereafter, the Parties conferred on various issues stemming from Defendant’s responses, culminating in Defendant serving supplemental responses to Plaintiff’s first set of Requests for Production as well as its document production on May 26, 2023.

Defendant served Plaintiff with Defendant’s first set of Requests for Production on April 24, 2023. On May 24, 2023, Plaintiff served responses and objections to Defendant’s Requests. On May 31, 2023, the Parties conferred on various issues stemming from Plaintiff’s responses. The Parties are still in the process of conferring regarding certain issues pertaining to Plaintiff’s responses and objections to Defendant’s requests.

Anticipated Next Steps in Upcoming Month:

In a compromise effort to move forward with discovery in this case in a reasonable manner, while keeping in mind that Defendant's motion to dismiss is fully-briefed and awaiting a ruling by this Court, the Parties plan to continue to confer regarding the adequacy of certain discovery responses and document productions in this case. The Parties have also agreed to identify ESI custodians and discuss and negotiate ESI search terms in connection with a limited number of outstanding document requests.

Dated: June 16, 2023

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